

7-45. Non-compliance Penalty: Notice of Non-compliance (1200 TN 350 7-45)

1. **AUTHORITY.** Pursuant to regulations promulgated under the noncompliance penalty section, Section 120, of the Clean Air Act (CAA), to provide a brief but reasonably specific notice of non-compliance to each person who is not in compliance.
2. **TO WHOM DELEGATED.** Director, Enforcement and Compliance Assurance Division (ECAD).
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the delegatee must consult the Assistant Administrator for the Office of Enforcement and Compliance Assurance (AA/OECA).
 - b. The AA/OECA may exercise these authorities in multi-regional cases or in cases of national significance.
 - c. The AA/OECA must notify any affected Regional Administrator prior to exercising any of the above authorities.
 - d. The AA/OECA may waive, in writing, the consultation requirement.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, and no further. This authority may not be redelegated without formal amendment.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 120 of CAA and Section 112(r) of CAA.
6. **SUPERSESSION.** Delegations Manual, CAA, Regional Delegation 7-45.
Noncompliance Penalty: Notice of Noncompliance, 1200 TN RIII 194 (February 21, 2017).

Date: APR 15 2019



Cosmo Servidio
Regional Administrator